

### **REMARKS/ARGUMENTS**

In view of the amendments to the claims above and the remarks and arguments below, Applicant believes the pending application is in condition for allowance.

#### **I. Status of the Claims**

Claims 1-4 and 16-19 are amended for idiomatic clarity. For example, expressions of the form “A is B when C is D” in claim 1 have been changed to “when C is D, A is B,” and redundancy in the definitions of Y and Z in claim 3 has been eliminated.

Claims 1-4 are further amended to place the languages, where appropriate, in proper Markush format.

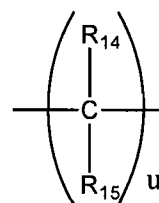
Claim 1 is also amended as follows:

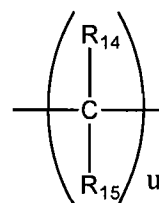
- It is clarified that “when R<sub>1</sub>, R<sub>3</sub> or R<sub>5</sub> is alkoxy having 1 to 4 carbons or hydroxyl,” R<sub>2</sub> and R<sub>4</sub> may be —SO<sub>2</sub>—Y or —C(=O)—Z or any one of the members listed in the immediately preceding Markush list, as was recited in claim 1 when it was originally filed.
- It is clarified that the Markush group defining R<sub>3</sub> extends to the phrase “—SO<sub>2</sub>—Y and —C(=O)—Z wherein Y and Z are as defined above” recited roughly twenty-six lines down. This was clear in claim 1 as originally filed because the intervening lines were placed in brackets “{ . . . }.” Since the brackets were subsequently deleted, the phrase is moved back up within R<sub>3</sub>’s recitation of the Markush group for clarity.
- The designation “(III)” is added to the chemical formula next to Formula (II).
- The choice of either R<sub>1</sub> or R<sub>5</sub> is restricted to —SO<sub>2</sub>—Y when R<sub>3</sub> is selected from a group other than the group consisting of Formula (II) or (III), without prejudice or disclaimer of the subject matter deleted thereby.

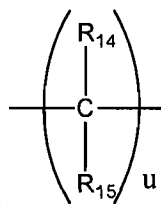
No new matter is introduced by the amendments to claim 1.

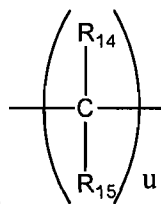
Claims 1-4 and 16-19 are pending.

5,753,405 (“Elsaesser”). The Examiner contends that Elsaesser renders the claims obvious because it teaches the presently claimed phenolic molecular compounds with carbonyl functional groups substituted on the phenol rings, in which the variables X, A, and B as defined in Formulas (II) through (V) are a CH<sub>2</sub> group. The Examiner specifically refers to Elsaesser’s Compound (III) shown at the top of column 4 for this purpose. Applicant respectfully traverses the rejections.



Claim 1 recites that “when R<sub>3</sub> is of Formula (II), [and] when X is , at least one of R<sub>1</sub>, R<sub>2</sub>, R<sub>4</sub>, R<sub>5</sub>, R<sub>6</sub>, R<sub>7</sub>, R<sub>8</sub>, and R<sub>9</sub> is —SO<sub>2</sub>—Y” and that “when R<sub>3</sub> is of Formula (III), [and]



when X is , at least one of R<sub>1</sub>, R<sub>2</sub>, R<sub>4</sub>, R<sub>5</sub>, R<sub>10</sub>, R<sub>11</sub>, R<sub>12</sub>, and R<sub>13</sub> is —SO<sub>2</sub>—Y.”

Thus, when X represents a CH<sub>2</sub> group, the compound recited in claim 1 contains at least one SO<sub>2</sub>Y group. Applicant respectfully submits that in contrast, Elsaesser’s Compound (III) does not contain an SO<sub>2</sub>Y group.

At least for this reason, Elsaesser fails to disclose all the elements recited in claim 1 and does not render the claim obvious. Applicant respectfully requests that the rejection of claim 1 be withdrawn.

Claim 16 depends from claim 1. Therefore, at least for the same reason as stated above for claim 1, Elsaesser does not render this claim obvious. Applicant respectfully requests that the rejection of claim 16 be withdrawn.

Claim 2 recites that “when A is  $-(CH_2)_u-$ , at least one of  $R_{17}$ ,  $R_{20}$ ,  $R_{22}$ , and  $R_{23}$  is  $-SO_2-Y-$ .” Thus, when A represents a  $CH_2$  group, the compound recited in claim 2 contains at least one  $SO_2Y$  group. On the other hand, Elsaesser’s Compound (III) does not contain an  $SO_2Y$  group.

At least for this reason, Elsaesser fails to disclose all the elements recited in claim 2 and does not render the claim obvious. Applicant respectfully requests that the rejection of claim 2 be withdrawn.

Claim 17 depends from claim 2. Therefore, at least for the same reason as stated above for claim 2, Elsaesser does not render this claim obvious. Applicant respectfully requests that the rejection of claim 17 be withdrawn.

Claim 3 recites that “when B is  $-(CH_2)_u-$ , at least one of  $R_{25}$ ,  $R_{28}$ ,  $R_{29}$ , and  $R_{31}$  is  $-SO_2-Y-$ .” Thus, when B represents a  $CH_2$  group, the compound recited in claim 3 contains at least one  $SO_2Y$  group. In contrast, Elsaesser’s Compound (III) does not contain an  $SO_2Y$  group.

At least for this reason, Elsaesser fails to disclose all the elements recited in claim 3 and does not render the claim obvious. Applicant respectfully requests that the rejection of claim 3 be withdrawn.

Claim 18 depends from claim 3. Therefore, at least for the same reason as stated above for claim 3, Elsaesser does not render this claim obvious. Applicant respectfully requests that the rejection of claim 18 be withdrawn.

Applicant has cancelled claims 12-14 and 28-30, rendering the rejections of these claims moot.

**CONCLUSION**

In view of the foregoing, it is believed that claims 1-4 and 16-19 are in immediate condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: June 10, 2008

Respectfully submitted,

By 

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